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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOSHUA GERSTEIN,  
Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,  
et al.,

Defendant.

Case No. C 06-04643 MMC

**STIPULATION TO EXTEND  
BRIEFING DEADLINES AND TO  
EXCEED PAGE LIMITATION AND  
PROPOSED ORDER THEREON**

The parties hereby stipulate to a 10-day extension of the briefing deadlines set pursuant to the Court's Minute Entry following the June 1, 2007 Continued Case Management Conference, and also to exceed by 50 pages the page limits under Local Rule 7-4(b) for defendants' motion for partial summary judgment and plaintiff's opposition thereto. The bases for this stipulation are as follows:

1. Pursuant to the June 1 Minute Entry, defendants' motion for partial summary judgment (addressing issues regarding the agencies' searches for documents responsive to plaintiff's

1 requests under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the exemptions  
2 applied to withhold responsive information in non-case or non-investigation specific documents)  
3 is due to be filed on July 23, 2007; plaintiff's opposition and cross motion for partial summary  
4 judgment is to be filed on August 27, 2007; defendants' reply is due on September 17, 2007; and  
5 plaintiff's reply is to be filed on October 1, 2007.

6 2. Plaintiff's requests for information relating to unauthorized disclosures of classified  
7 information and referrals to the Department of Justice in connection with such "leaks" connotes  
8 that more than one of the defendant agencies may have an equity in the information contained in  
9 responsive documents. Defendants require additional time to file their motion for partial  
10 summary judgment due, in part, to the time involved for intra-agency coordination, between  
11 agency attorneys and their clients regarding the collection and assimilation of the information  
12 necessary to support defendants' positions, as well as inter-agency coordination, with respect to  
13 documents referred from one agency to another, regarding responsibility for providing the  
14 rationale for applying a FOIA exemption to a document or portion of a document. Defendants  
15 also require additional time due to unforeseen events in several cases to which undersigned  
16 counsel is assigned, which have demanded significant time and attention. No previous extensions  
17 have been sought in connection with the briefing schedule for defendants' motion for partial  
18 summary judgment.

19 3. Plaintiff stipulates to the request for a 10-day extension of time for defendants to file  
20 their opening brief, or until August 2, 2007. The parties also stipulate to shift the other briefing  
21 deadlines accordingly: September 6, 2007 for plaintiff's opposition and cross partial summary  
22 judgment motion; September 27, 2007 for defendants' reply; and October 11, 2007 for plaintiff's  
23 reply.

24 4. The parties further stipulate that it is necessary in this case to exceed the 25-page limit  
25 for memoranda of points and authorities in support of and in opposition to civil motions, as set  
26 forth in Local Rule 7-4(b). Additional pages are necessary in order to adequately address the  
27 issues raised by the responses to plaintiff's FOIA requests by 12 components or agencies. Indeed,  
28 for each component or agency, defendants must set forth information relating to the processing of  
plaintiff's requests; the search conducted to identify, locate, and process responsive documents;

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1 and the bases for withholding information under various FOIA exemptions. The parties agree to  
2 exceed the page limits by 50 pages (allowing 75 pages for the opening and opposition briefs in this  
3 case).

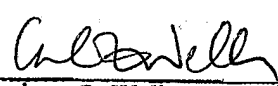
4 Accordingly, the parties stipulate to extend the briefing deadlines by 10 days and to exceed  
5 the page limits by 50 pages.

6 Respectfully submitted,

7 JOSHUA GERSTEIN

PETER D. KEISLER  
Assistant Attorney General

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9  
10 Plaintiff

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12 Carlotta P. Wells  
13 Senior Trial Counsel  
14 United States Department of Justice  
15 Civil Division  
16 Federal Programs Branch

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20 Dated: July 18, 2007  
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28 Dated: July 18, 2007

**[PROPOSED] ORDER**

1 Upon consideration of the parties' stipulation, the briefing deadlines set by the June 1,  
2 2007 Minute Order are extended by 10 days, to reflect the following deadlines: August 2, 2007 for  
3 defendants' motion for partial summary judgment; September 6, 2007 for plaintiff's opposition  
4 and cross motion for partial summary judgment; September 27, 2007 for defendants' reply; and  
5 October 11, 2007 for plaintiff's reply. Further, the parties will be permitted up to <sup>40</sup>75 pages for the  
6 opening and opposition briefs.

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8  
9 Dated: July 23, 2007

  
MAXINE M. CHESNEY  
United States District Judge